

General Order

Houston Police Department



ISSUE DATE:

June 23, 2017

NO.

300-21

REFERENCE: Supersedes all prior conflicting Circulars and Directives, and General Order 300-21, dated April 19, 2013

SUBJECT: COMMUNICABLE DISEASE POLICY

POLICY

The Houston Police Department shall provide training for employees to minimize their exposure to contagious diseases. Also, the department shall furnish appropriate equipment to protect employees from potential exposure to a *communicable disease* in situations that can be reasonably foreseen.

Employees who are potentially exposed to a communicable disease while in the line of duty, shall document the exposure as if it were an on-the-job injury.

This General Order applies to all employees.

DEFINITIONS

Body fluids. Any liquid secretions that can be found in a human or animal body including, but not limited to, blood, semen, vaginal discharge, saliva, urine, feces, tears, nasal discharge, sputum, vomitus, or breast milk.

Communicable Disease. An illness due to a specific infectious agent or its toxic product that arises through transmission of that agent or its product from an infected person or animal to a susceptible person, either directly or indirectly, through an intermediate host (e.g., Human Immunodeficiency Virus [HIV] or Hepatitis B Virus [HBV]). Some common communicable diseases can be prevented by vaccinations (e.g., Measles, Tetanus, and Hepatitis B Virus).

Exposure. Confirmed contact with an infectious agent, such as through inhalation, percutaneous inoculation (puncture or cut by a sharp object), or contact with an open wound, non-intact skin, or mucous membrane.

Medical Waste. Items to be disposed of that have been contaminated with body fluids or human or animal tissue, or any biological item requiring special handling precautions.

Reportable Disease. Communicable diseases and health conditions required to be reported to Texas Department of State Health Services in accordance with Texas Health and Safety Code, Section 81.041, as may be amended.

Tuberculosis (TB). A communicable disease that is caused by slow growing bacteria that are spread in airborne droplets. General symptoms of active TB include lethargy, weakness, weight loss, loss of appetite, fever, night sweats, chronic coughing, chest pain, or coughing up blood.

1 SUPPLIES

All department vehicles (undercover vehicles may be exempt) shall be continuously stocked with all communicable disease control supplies for the communicable disease kit. All communicable disease kits and replacement supplies shall be made available through the department's Uniform Supply.

All divisional vehicle coordinators are responsible for the dissemination and replacement of the below items, which are part of the communicable disease kit.

- a. Protective body gowns
- b. Disposable gloves
- c. Puncture resistant container
- d. Red sealable biohazard waste bags
- e. Barrier resuscitation equipment
- f. Goggles
- g. Disposable face masks
- h. Disposable disinfectant towelettes
- i. Waterproof bandages
- j. Protective shoe covers
- k. Biohazard labels
- l. Body sheets

2 PROCEDURES

Communicable Disease Prevention

In order to minimize potential exposure to communicable diseases, employees shall assume that all persons and animals are potential carriers of a communicable disease and employees shall take the following precautions:

- a. Disposable latex or nitrile gloves should be worn by employees when handling any wounded persons or animals or their clothing, or any items contaminated with body fluids. Employees should wear fresh, new, disposable latex or nitrile gloves if it is necessary to place fingers in or near any person's or animal's mouth. The gloves should be changed for each person or animal contacted.

Employees should be aware that rings, jewelry, and fingernails may compromise the structural integrity of disposable gloves. Employees should inspect gloves before and during each use to ensure the gloves have not been torn or compromised.

- b. A face mask, protective eyewear, and protective clothing should be worn when there is a potential for splashing of any body fluids.
- c. A face mask should be worn when the employee is near a coughing person suspected of having an active case of tuberculosis (TB).
- d. A plastic mouth piece barrier resuscitation device should be used whenever an employee must perform mouth-to-mouth resuscitation.
- e. All sharp instruments, such as knives and needles that are collected for evidentiary or disposal purposes, should be handled with extraordinary care and placed in a puncture resistant container with a biohazard label on the outside of the container.

Employees should use caution when placing their hands in areas where sharp instruments might be hidden. An initial visual search of the area should be conducted.

Needles should not be recapped, bent, broken, or removed from a disposable syringe, or otherwise manipulated by hand. Needles and syringes may contain narcotic evidence. As such, the container shall be marked with a biohazard label to identify potential or known communicable disease contamination and delivered to the HPD Narcotics Operations Control Center (NOCC) for further processing.

- f. Employees should not smoke, eat, drink, apply cosmetics or lip balm, or handle contact lenses around blood or body fluid spills.
- g. Any evidence unrelated to narcotic investigations that is not a sharp instrument and is contaminated or reasonably believed to be contaminated with body fluids shall be placed and transported in bags that prevent leakage. The bags shall be marked to identify potential or known communicable disease contamination. The evidence shall then be delivered to the Property Division. See General Order 700-01, **Property/Evidence Control Regulations**, for additional information on disposition of evidentiary material.

Transport and Custody

- a. Employees who have been properly equipped and trained shall not refuse to physically handle or administer first aid measures to any person just because that person may have a communicable disease.
- b. Individuals who are contaminated with body fluids or coughing uncontrollably shall be transported in separate vehicles from other individuals.
- c. Employees have an obligation to notify relevant support personnel during a transfer of custody when the suspects have body fluids present on their person or have stated they have a communicable disease.

- d. Officers who are booking a prisoner into a City jail or police station lockup facility are responsible for notifying the medical personnel and jail attendants about any prisoner who is contaminated with body fluids.
- e. Employees shall indicate on the arrest forms when suspects taken into custody have body fluids present on their person or state they have a communicable disease; for example, "Suspect states ..."
- f. Prisoners with active TB should be encouraged to wear disposable face masks while being transported. Precautions should be taken when in close contact indoors or in a patrol vehicle with a coughing person suspected of having TB. Employees should ask the person to contain his or her cough in a handkerchief or cloth to reduce the number of airborne particles being spread. Employees should open the vehicle window to dilute the airborne particles.

Disinfection

- a. Any employee's unprotected skin surface that comes into contact with another person's or animal's body fluids shall be immediately and thoroughly washed with warm running water and soap for at least fifteen seconds before rinsing and drying.

Alcohol, hand sanitizer, or antiseptic towelettes should be used when soap and water are unavailable. Using a disinfection solution including one part household bleach and ten parts water or a commercially available disinfecting cleaning solution is also recommended.

Protective disposable gloves should be worn during all phases of disinfection. Disposable gloves should then be removed from inside out. The hands and forearms should then be washed.

Following disinfection any open cuts and abrasions should be covered with waterproof bandages. Hand lotion may also be applied after disinfection.

- b. Employees should remove their clothing that has been contaminated with body fluids as soon as practical. Any contacted skin area should then be disinfected in the prescribed fashion. Contaminated clothing should be bagged carefully and laundered in the normal fashion, but separated from family clothes.
- c. Transporting personnel are responsible for the proper cleaning of the vehicle interior whenever an individual contaminated with body fluids has been transported.
- d. Disposable latex or nitrile gloves and other protective covering should always be worn when handling blood products. All body fluids must be thoroughly cleaned from surfaces or objects. Contaminated materials should be placed in biohazard waste bags while in the field and disposed in a designated biohazard waste container.

Disposal of Biohazard Waste

Non-evidentiary materials shall be disposed of as follows:

- a. Sharp items such as needles shall be placed in a "SHARPS" (puncture resistant) container. Glass items shall be disposed of in containers marked "GLASS."
- b. All HPD police stations, City jails, and Police Headquarters shall serve as biohazard storage sites for biohazard waste, sharps, and glass. Biohazard waste bags shall be made available at each of these sites.
- c. Biohazard storage sites shall be issued containers with lids for the disposal of biohazard waste. The containers shall be labeled with a biohazard symbol and lettering specifying BIOHAZARD. The containers shall be marked GLASS, SHARPS, or NONSHARPS.
- d. A medical waste disposal company will transport and dispose of the waste according to Texas Department of State Health Services guidelines. Employees shall call the General Services Department to arrange transport and disposal of all biohazard materials.
- e. Non-contaminated waste shall be disposed of in the regular station trash.

3 EXPOSURES TO COMMUNICABLE DISEASES

Employees who are potentially exposed to a communicable disease (e.g., employee is bitten by a person or animal, employee has open skin and comes into physical contact with another person's or animal's body fluids) while in uniform, on duty, or working approved extra employment shall document the exposure as if it were an on-the-job injury, even if it is not immediately evident that it is an "injury" (e.g., contamination of an open wound by a suspect's blood). The nature of the exposure should be placed in the incident report.

The employee shall contact a supervisor and advise of the exposure. The supervisor shall evaluate the injury and complete the *City of Houston Accident Report* form and the *COH On the Job Injury Reference Sheet*. Both forms are located on the department's Intranet Portal. Additionally, the employee and supervisor shall follow injury and exposure procedures in accordance with General Orders 200-10, **Emergency Management** and 300-05, **Workers' Compensation**.

The employee shall go to a hospital emergency room or urgent care facility to receive protective treatment at the earliest possible time. No employee may be forced to submit to a blood test as a result of reporting an exposure; however, workers' compensation requires any employee claiming exposure to submit to a baseline blood test within ten *calendar* days following the exposure.

An employee with a potential exposure shall notify the department's Health and Safety Unit (HSU) of the potential exposure within 24 hours following the incident. Personnel with Houston Health Department (HHD) Bureau of Epidemiology, in cooperation with the HSU, will evaluate each situation and determine if in their judgment the incident qualifies as an exposure. HHD Bureau of Epidemiology will notify the HSU if they determine the incident constitutes an exposure.

After documenting the potential exposure as if it were an on-the-job injury, an employee with a potential exposure shall fax all injured on duty (IOD) paperwork, including a notarized *Affidavit*

of *Exposure to a Communicable Disease* form, to the HSU within 24 hours. The *Affidavit of Exposure to a Communicable Disease* form is located on the department's Intranet Portal.

The HSU shall serve as the liaison between the HHD Bureau of Epidemiology and the employee.

If the employee may have been exposed to a communicable disease during the course of delivering pre-hospital care to a suspect or other citizen who is transported to a hospital, the employee should follow the procedures above and notify the receiving hospital that a possible exposure has occurred. Notification is done by completing a *Report of Possible Exposure of Transporter* form, which should be provided by the hospital. Employees shall leave the completed form at the receiving hospital.

The hospital is not under any obligation to test a subject for communicable diseases. The hospital is obligated to notify HHD Bureau of Epidemiology when the hospital has knowledge that the subject was infected with a communicable disease at the time of admittance.

HHD Bureau of Epidemiology will contact the HSU when results are received from the hospital. HSU shall contact the employee and advise him or her to contact HHD Bureau of Epidemiology for the results, as well as provide control measures and information on testing, if needed. All results are confidential and only personnel with a legitimate need to know shall be informed of the results.

Criminal charges may be sought against any person who intentionally acts to expose an employee to a communicable disease.

4 REQUESTING MANDATORY TESTING OF THE SOURCE

To request mandatory testing of the source of a potential exposure to a communicable disease, an employee shall complete an *Affidavit of Exposure to a Communicable Disease* form outlining the circumstances surrounding the potential exposure and detailing the nature of the potential exposure (e.g., bitten by a suspect whose saliva was contaminated with blood, pricked with a needle taken from a known drug user, exposed to a person coughing or suspected of having an active case of TB).

The *Affidavit of Exposure to a Communicable Disease* form shall be written in the first person and notarized and shall include a detailed description of the exposure by specifying the body part(s) that may have been exposed and how that exposure occurred. Failure to complete the affidavit correctly will result in a delay in determination of exposure, which can result in a delay in testing of the source.

The HSU shall fax the affidavit to the HHD Bureau of Epidemiology and immediately confirm receipt by calling the HHD Bureau of Epidemiology, which is staffed 24 hours a day. The HSU will then be provided with a reference number, which shall be relayed to the concerned employee, employee's supervisor, or employee's IOD divisional liaison as soon as practicable by either telephone or email.

Prior to mandatory testing of a source in accordance with Section 81.050 of the Texas Health and Safety Code, there must be a determination of potential exposure that is supported by the

aforementioned signed and sworn affidavit. This determination will be made by the Chief Physician at the HHD Bureau of Epidemiology, who will then notify the HSU. The HHD Bureau of Epidemiology coordinates the testing of the source utilizing the Harris County District Attorney's Victims Services Unit for assistance if a court order is required.

If the source agrees to be tested, the HHD Bureau of Epidemiology will arrange for the person to be counseled and tested. If the source is in the county jail, a disease intervention specialist who works for the county will cooperate with the HHD Bureau of Epidemiology in the drawing and testing of blood. If the source refuses to be tested, the HHD Bureau of Epidemiology will ask for a court order from the District Attorney's Office requesting mandatory testing of the source.

The employee may request mandatory testing of the source regardless of the decision of the HSU and the HHD Bureau of Epidemiology. A prosecuting attorney who represents the state in district court can request a hearing on the order.

According to the Texas Health and Safety Code, if the court finds there was not reasonable cause for the employee to have requested the test, the court may assess the court cost against the employee who made the request. If the court upholds the order and requires the source to submit to the test, the HHD Bureau of Epidemiology shall be notified about the decision and they will take appropriate measures.

Once testing has been completed, the HHD Bureau of Epidemiology will contact the HSU and give the name of the employee and the name and telephone number of the health authority who will instruct the employee on the test results and control measures. Results of the test will be released to the employee by telephone followed by a letter within three business days. Post-test counseling will be given by the health authority according to the circumstances and the results of the tests.

The results of the tests shall be kept confidential and only personnel with a legitimate need to know shall be allowed access to test results. Legitimate need to know will be determined by the health authority.

5 ADDITIONAL CONSIDERATIONS

Employees who test positive for a communicable disease may continue working as long as they perform the essential functions of the job, maintain acceptable performance, and do not pose a safety and health threat to themselves, the public, other employees, or the department. The department shall make all decisions concerning the employee's work status solely on the medical opinions and advice of the City of Houston's health care officials.

The department may require an employee to be examined by the City of Houston's health care officials to determine if the employee is able to perform duties without hazard to the employee or others.

Communicable diseases that are not blood borne (for example, TB or measles) shall be assessed by the health authority on an individual basis depending on the circumstances of the exposure. Special recommendations shall then be given to the employee involved.

If employees have any questions regarding communicable disease, they may contact the department's Health and Safety Unit.

Workers' Compensation

An employee will not be entitled to workers' compensation benefits for a work-related exposure to a reportable disease unless the employee provides the employer (City of Houston) both of the following:

- a. The employee's sworn affidavit of the date and circumstances of the exposure.
- b. A copy of the results of the employee's test taken within ten *calendar* days after the exposure and indicating the absence of the reportable disease. Exposure criteria and testing protocol must conform to Texas Department of Health requirements.

6 RELATED GENERAL ORDERS AND REFERENCE MATERIAL

200-10, Emergency Management

300-05, Workers' Compensation

600-43, Animal Bites

700-01, Property/Evidence Control Regulations

Section 81.003(1), Texas Health and Safety Code

Section 81.041, Texas Health and Safety Code

Section 81.050, Texas Health and Safety Code

Texas Department of Insurance, Division of Workers' Compensation, Texas Workers' Compensation Rules, 28 Texas Administrative Code (TAC), Section 122.3



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